

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**RIO TINTO PLC, RIO TINTO LIMITED,  
THOMAS ALBANESE, and GUY ROBERT  
ELLIOTT,**

**Defendants.**

Case No. 1:17-cv-7994-AT-DCF

**DECLARATION OF KRISTEN A. LEJNIEKS IN SUPPORT OF DEFENDANTS'  
MOTION FOR ISSUANCE OF LETTERS OF REQUEST FOR INTERNATIONAL  
JUDICIAL ASSISTANCE TO OBTAIN EVIDENCE**

I, Kristen A. Lejnieks, declare as follows:

1. My name is Kristen A. Lejnieks. I am a partner in the law firm of Jones Day. My business address is 51 Louisiana Avenue, NW, Washington, DC 20001. I have personal knowledge of the facts described in this Declaration.

2. Attached as Exhibit 1 is a proposed Letter of Request seeking international judicial assistance from the United Kingdom under the Hague Convention.

3. Attached as Exhibit 2 is a proposed Letter of Request seeking international judicial assistance from Australia under the Hague Convention.

4. Attached as Exhibit 3 is a proposed Letter of Request seeking international judicial assistance from South Africa under the Hague Convention.

5. Attached as Exhibit 4 is a proposed Letter of Request seeking international judicial assistance from South Africa under the Foreign Courts Evidence Act.

6. Attached as Exhibit 5 is an excerpt from the SEC's interview of Richard Wynne Hughes, a PricewaterhouseCoopers UK partner, held on July 26, 2016 in London, England.

7. Attached as Exhibit 6 are excerpts from the SEC's interview of Jonathan Wyndham Lambert, a PricewaterhouseCoopers UK partner, held on July 27, 2016 in London, England.

8. Attached as Exhibit 7 is an email from Paul Alfieri, outside counsel for PricewaterhouseCoopers UK, to me, dated June 20, 2018.

9. Attached as Exhibit 8 is an email from Christopher Davies, outside counsel for PricewaterhouseCoopers Australia, to me, dated July 20, 2018.

10. Attached as Exhibit 9 is a letter from Fulvio Tonelli, Chief Operating Officer for PricewaterhouseCoopers South Africa, to me, dated June 21, 2018.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 31, 2018.

/s/Kristen A. Lejnieks  
Kristen A. Lejnieks

# **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing to be served by  
CM/ECF this 31st day of July, 2018 upon all counsel:

/s/ Kristen A. Lejnieks

Kristen A. Lejnieks  
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*Attorney for Defendant Thomas Albanese*